

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	3:CR-18-0097
	:	
v.	:	(Judge Mariani)
	:	
ROSS ROGGIO	:	(Electronically filed)

MOTION FOR ENLARGEMENT OF TIME TO FILE
POST SUPPRESSION HEARING BRIEF

AND NOW comes the Defendant, Ross Roggio, by his attorney, Gino Bartolai, Esquire, and files the following Motion for Enlargement of Time to File his Post Suppression Hearing Brief, and in support thereof avers the following:

1. On March 20, 2018, Roggio was charged in an Indictment with conspiracy to commit an offense against the United States, in violation of Title 18, United States Code, Section 371; violations of the Arms Export Control Act, Title 22, United States Code, Sections 2778(b) and (c); and the International Emergency Powers Act, Title 50, United States Code, Sections 1702 and 1705(c); smuggling goods from the United States, in violation of Title 18 United States Code Sections 554 and 2; wire fraud, in violation of Title 18, United States Code Section 1342; and money laundering, in violation of Title 18 United States Code, Sections 1956(a)(2)(A) and 2.

2. On March 23, 2018, Roggio appeared before Magistrate Judge Karoline Mehalchick for an initial appearance and arraignment and entered a plea of not guilty to the charges.

3. On March 29, 2019, Roggio filed a motion to suppression evidence with supporting brief.

4. On June 8, 2020, this Honorable Court granted Roggio leave to file a Supplemental Motion to Suppress Statements and Related Evidence. On June 15, 2020, Roggio filed the Motion to Suppress Roggio's Statement and Related Evidence, (Doc 64), with supporting brief.

5. On May 27, 2021, a suppression hearing took place, at the conclusion of which the Court allowed Roggio to file a post suppression hearing brief within 30 days of receipt of the transcript.

6. Since the suppression hearing, Counsel has been preparing for two trials scheduled to commence in August, 2021, United States v. Robert Thompson; 3:CR-20-108, and United States v. Edgar Mendoza; 3:CR-20-168, and had been unable to fully review the suppression hearing transcript and discuss it with Roggio so as to prepare the post suppression hearing brief. The afore-mentioned cases have since been resolved. However, Counsel, due to his present caseload and a planned vacation has been unable to review the Suppression Hearing transcript with Roggio and prepare the appropriate brief. Accordingly, Roggio is

hereby respectfully requesting an additional 14 days, or until September 3, 2021, to submit his post suppression hearing brief.

7. Assistant United States Attorney Todd K. Hinkley has been contacted about the substance of this motion and stated that he does concur in it.

8. The delay occasioned by this motion is excluded from the speedy trial calculation pursuant to 18 U.S.C. § 3161(h)(8)(A).

WHEREFORE, the Defendant, Ross Roggio, respectfully requests that this Honorable Court enlarge the time for filing his post suppression hearing brief for 14 days, or until September 3, 2021.

Respectfully submitted,

Date: August 18, 2021

s/Gino Bartolai
Gino Bartolai, Esquire
Attorney ID# PA 56642

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Attorney for Ross Roggio

CERTIFICATE OF CONCURRENCE

I, Gino Bartolai, Esquire, certify that on this date I contacted Todd K. Hinkley, Assistant United States Attorney, who advised that he does concur in the within **Motion for Enlargement of Time to file post suppression hearing brief.**

Date: August 18, 2021

s/Gino Bartolai
Gino Bartolai, Esquire

CERTIFICATE OF SERVICE

I, Gino Bartolai, Esquire, do hereby certify that I electronically served, via e-mail, a copy of the foregoing **Motion for enlargement of time to file post suppression hearing brief**, to the following

Todd. K. Hinkley, Esquire
Assistant United States Attorney

and by placing the same in the United States mail, first class, postage prepaid, at Scranton, Pennsylvania, addressed to the following:

Ross Roggio

Date: August 18, 2021

s/Gino Bartolai
Gino Bartolai, Esquire